

# EXHIBIT 35

Jennifer Kennedy

February 11, 2025

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

FOOD NOT BOMBS HOUSTON       §  
ET AL.,                               §  
   §   Case No. 4-24-cv-338  
PLAINTIFFS,                       §  
   §   (Consolidated Case No.  
v.                                   §   4:23-cv-1206)  
   §  
CITY OF HOUSTON, TEXAS,       §  
DEFENDANT.                       §

ORAL DEPOSITION OF  
CAPTAIN JENNIFER LYNN KENNEDY  
FEBRUARY 11, 2025

ORAL DEPOSITION OF CAPTAIN JENNIFER LYNN KENNEDY,  
produced as a witness at the instance of the Plaintiffs  
and duly sworn, was taken in the above styled and  
numbered cause on Tuesday, February 11, 2025, from 9:09  
a.m. to 3:51 p.m., before DONNA QUALLS, Notary Public in  
and for the State of Texas, Notary ID No. 12161359,  
reported by computerized stenotype machine, at the  
offices of Houston City Hall Annex, 900 Bagby Street,  
4th Floor, Houston, Texas, pursuant to the Federal Rules  
of Civil Procedure, and any provisions stated on the  
record or attached hereto.

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## A P P E A R A N C E S

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1 A. Yes.

2 Q. Correctly, sorry?

3 A. Yes.

4 Q. And so the keyword here is "conduct a food  
5 service event without advanced written consent of the  
6 public or private property owner."

7 And so could you look at 20-251,  
8 definitions?

9 A. Yes.

10 Q. And so Section 20-251 defines food service  
11 event as "each instance in which charitable food  
12 services are provided to more than five individuals"; is  
13 that right?

14 A. Yes.

15 Q. So why -- what interest does it serve to  
16 criminalize serving five individuals versus six or seven  
17 individuals?

18 MS. ANDERSON: Objection; form.

19 Q. (BY MR. FIFE) Let me rephrase the question.

20 Why is the limit in this ordinance  
21 providing charitable food services to more than five  
22 individuals as opposed to some other number of  
23 individuals?

24 A. I don't know.

25 Q. Okay. So the next definition -- so food

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1 service event restricts each instance in which  
2 charitable food services are provided to more than five  
3 individuals.

4 And then the definition right above food  
5 service event defines charitable food services. And it  
6 says "Charitable food services provided means providing  
7 food without charge, payment, or other compensation to  
8 benefit those in need at an outdoor location not owned,  
9 leased, or controlled by the individual or organization  
10 providing food."

11 Did I read that right?

12 A. Yes.

13 Q. So the -- I have a couple of questions about  
14 this definition. So would this definition encompass  
15 birthday parties?

16 A. I guess, if you could explain that little kids  
17 are in need of pizza, then possibly. It might be a  
18 stretch.

19 Q. Well, I guess that's actually a good point.  
20 Let me ask you -- within the meaning of this ordinance,  
21 what does "those in need" mean?

22 A. Well, if you look at one of the whereas  
23 statements, the city council recognizes those who are  
24 unable to provide food for themselves. So my  
25 interpretation is those in need would be those who are

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1 unable to provide food for themselves.

2 Q. And you just read from the second whereas  
3 paragraph on the first page, right?

4 A. Correct.

5 Q. So those in need means those unable to provide  
6 food for themselves?

7 MS. ANDERSON: Objection; form.

8 A. That would be my interpretation.

9 Q. (BY MR. FIFE) Okay. How is an officer  
10 enforcing this ordinance supposed to determine whether a  
11 person meets that definition of "in need"?

12 A. We enforce whether or not those conducting the  
13 events have permission from the property owner, not  
14 whether or not they're serving people that are in need.  
15 So we are not asking everybody that's in line if they're  
16 able or unable to provide food for themselves. I think  
17 that would be...

18 Q. But does the ordinance prohibit serving free  
19 food to those who are not in need?

20 A. I'm not sure. I guess it depends on how you  
21 interpret the definitions.

22 Q. Okay. Well -- so let's go back to the  
23 definitions, then. So Section 20-252, the use of  
24 property without consent prohibited makes it unlawful  
25 for any organization or individual to sponsor or conduct

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1 a food services event on public property without the  
2 advanced written consent of the public property owner,  
3 right?

4 A. Uh-huh.

5 Q. And then Section 20-251 defines a food service  
6 event as each instance in which charitable food services  
7 are provided to more than five individuals, right?

8 A. Right.

9 Q. And then charitable food services means  
10 providing food without charge, payment, or other  
11 compensation to benefit those in need at an outdoor  
12 location." And then it continues.

13 And so did I read the first part of that  
14 definition right?

15 A. Yes.

16 Q. And so I guess my question is to violate  
17 Section 20-252 the person needs to be conducting a food  
18 service event which is defined as providing food without  
19 charge, payment, or compensation to benefit those in  
20 need.

21 Do you agree with that?

22 A. Well, you just read the definition of  
23 charitable food service event. But I get where you're  
24 getting at. I would say that it is aimed more at the  
25 intention of the food service provider that their

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1 intention is to benefit those who they think may be in  
2 need, not to -- not that we have to prove that everybody  
3 in line is in need. It's the intent of the food service  
4 provider.

5 Q. And that makes sense. I think my question,  
6 then, is how does an officer determine under this  
7 ordinance the intent to benefit those in need of the  
8 person or group providing charitable food services?

9 A. You could look at -- you could speak with the  
10 food service providers. You could look at their online  
11 websites that explain that their purpose is to help  
12 people in need. I think just generally it can be  
13 assumed that, if a food service provider, an  
14 organization, religious group is out providing food, the  
15 intent is that they're trying to benefit those that are  
16 in need.

17 Q. That's interesting. Can you say more about  
18 that? Why is it safe to assume that a person serving  
19 food for free out in the public is doing so to benefit  
20 those in need?

21 A. I'm just thinking from, you know, personal  
22 perspective. I don't know that the organizations that  
23 are going to spend the time to collect food, organize  
24 volunteers to go help people that aren't in need. You  
25 know what I'm saying.



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1 Q. Yeah.

2 A. Like just the word "help" kind of infers that  
3 you are helping those in need because people that are  
4 not in need doesn't necessarily need help.

5 Q. Yeah. And it takes a lot of work to, like you  
6 said, assemble all the food and find a public place to  
7 distribute it.

8 Would you agree with that?

9 A. I've never personally done that. I would  
10 assume so.

11 Q. Okay. So the "to benefit those in need"  
12 language in the charitable food service definition means  
13 the person conducting the food event is trying to  
14 benefit those in need, right? I'm just trying to make  
15 sure I understood what -- what you said.

16 MS. ANDERSON: Objection; form.

17 A. Yeah, that's my interpretation.

18 Q. (BY MR. FIFE) Okay.

19 A. I mean, we can read it as it is in the  
20 definition. Now, finding meanings behind specific words  
21 within the definition is something that probably needs  
22 to be answered by an attorney who wrote the definitions.

23 Q. Yeah. And so the next piece of this definition  
24 I'm curious about is "without charge, payment, or other  
25 compensation to benefit those in need."

1 property owner but without participating in the program  
2 established by this article shall not be deemed in  
3 violation of this article."

4 Did I read that right?

5 A. Yes.

6 Q. Do you agree that this means that participation  
7 in the certification program outlined in Section 20-254  
8 is not a prerequisite to conducting charitable food  
9 service events?

10 A. That's correct. It's voluntary.

11 Q. It's a voluntary program, right?

12 A. Yes.

13 Q. And so to conduct charitable food service  
14 events, and organization is not required to undertake  
15 the certification process that's outlined in 20-254?

16 A. That's correct.

17 Q. Okay. Could you turn to page 5 of the  
18 ordinance? This is COH 024086. I'd like to discuss  
19 just briefly Section 20-257. That's the use of city  
20 parks and other city property for food service events.

21 So looking at the first sentence, it says  
22 "The director of the parks and recreation department  
23 shall develop rules, regulations, and criteria for the  
24 use of properties for food service events and shall  
25 maintain a list of park properties with areas approved

1 for food service events."

2 Did I read that right?

3 A. You left out the word "park."

4 Q. Oh, sorry.

5 A. But yes, in general you read it correctly.

6 Q. Okay. But in essence, this first sentence  
7 gives a director of the parks and recreation department  
8 the authority to develop rules, regulations, and  
9 criteria for the use of park properties for charitable  
10 feedings?

11 A. Yes.

12 Q. And does the parks department currently have  
13 any approved parks for charitable feeding?

14 A. No.

15 Q. Okay. And we'll get to that more in a second,  
16 but does the director of parks and recreation have any  
17 guidance, rules, regulations, or criteria for the use of  
18 parks' property for charitable feeding?

19 A. Likely so because in -- back in 2016 when we  
20 used to use the parks, I've never seen them. It says  
21 they shall develop rules, regulations, and criteria. So  
22 I'm assuming at one point we did have those when we were  
23 utilizing the parks.

24 Q. But now no parks' property is approved for  
25 charitable food service events?

1 A. That's correct.

2 Q. Okay. And then the second sentence right after  
3 the one I just read says "The director of health and  
4 human services department shall develop rules,  
5 regulations, and criteria for the use of other city  
6 property for food service events and shall maintain a  
7 list of such properties with areas approved for service  
8 events."

9 Did I read that right?

10 A. Yes.

11 Q. So this is a similar provision. It gives the  
12 director of health and human services the authority to  
13 develop rules, regulations, and criteria for the use of  
14 other city property for food service events?

15 A. That's correct.

16 Q. So the director of the health department has  
17 authority over all non-parks' properties?

18 MS. ANDERSON: Objection; form.

19 A. If it is city property.

20 Q. (BY MR. FIFE) Okay.

21 A. Not all others but --

22 Q. That's a good point. So the health department  
23 has authority over whether to authorize charitable  
24 feedings at all non-parks city property?

25 MS. ANDERSON: Objection; form.

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1 A. They maintain a list.

2 Q. (BY MR. FIFE) And that's the list on the  
3 health department's charitable feeding website?

4 A. I believe there's a list on the website.

5 Q. Okay. I just have one other question about  
6 Section 20-257. So does the mayor fit into this  
7 approval process at all? Like, say, for example, the  
8 parks department wanted to approve a park. Could the  
9 mayor tell them to reverse course and not approve the  
10 location?

11 A. I would say that's probably within the mayor's  
12 scope of authority, yes.

13 Q. Okay. Now, we've talked thus far about the  
14 meaning of the ordinance, but I wanted to discuss these  
15 terms in context of a particular police report. And I  
16 will mark this as Exhibit 17.

17 (Exhibit No. 17 was marked.)

18 Q. (BY MR. FIFE) Captain Kennedy, do you  
19 recognize this document?

20 A. No.

21 Q. So it says at the -- so this is a Houston  
22 Police Department -- is this a police report?

23 A. Yes.

24 Q. And if you look at the top, it says "Offense  
25 Report Title. Feeding homeless without" -- well "w/o

1 differential response team that handles those quality of  
2 life or civility complaints.

3 Q. And was the differential response team one of  
4 the teams that you directed as lieutenant in the  
5 Downtown Division?

6 A. Yes.

7 Q. And so did you direct which officers of the DRT  
8 team would patrol Food Not Bombs events?

9 A. No. I never specifically addressed anything  
10 Food Not Bombs. It was if we had charitable food  
11 service events that were being conducted that violated  
12 the ordinance.

13 Q. And -- okay. But -- so you then personally  
14 were directing officers to go to charitable food service  
15 events at the Central Library?

16 A. Yes.

17 Q. And was it routinely the same officers, or  
18 how -- how was that team staffed?

19 A. So we developed basically a schedule of who  
20 would work because it was in the evenings after these  
21 officers' regular shift. So it would be officers from  
22 the differential response team, some officers from  
23 patrol, some officers from the crime suppression team.

24 Q. Okay. Now, the listed suspect on -- if you  
25 turn to page 4, it says "The listed suspect James Foster

1 and the organization Food Not Bombs conducted a food  
2 service event by serving individuals on property without  
3 consent."

4 Do you see that first sentence of the third  
5 full paragraph?

6 A. Yes.

7 Q. So how did the officer know that it was Food  
8 Not Bombs?

9 A. They generally wear shirts, and they have  
10 banners. They make sure that you know that they are  
11 Food Not Bombs.

12 Q. Okay. And then how did the officers determine  
13 who to cite among the Food Not Bombs individuals?

14 A. So they would ask those feeding who would be  
15 receiving the citation. And then the organization or  
16 those volunteers would get together and decide who would  
17 receive that citation. Generally, that is how it  
18 happened.

19 Q. And then the next sentence after the one we  
20 just read said "We observed the listed suspect standing  
21 at the end of the line, handing out approximately  
22 100 meals to the homeless."

23 Did I read that right?

24 A. Yes.

25 Q. So how did the officer determine whether the

1 individuals were homeless?

2 A. These officers with the differential response  
3 team, they know just about every single person who is  
4 homeless in downtown. They interact with them on a  
5 daily basis, and so they know very well who the homeless  
6 population is.

7 Q. Is the DRT team the one -- the officers who  
8 drive around and help people with identification?

9 A. No.

10 Q. What unit is that?

11 A. That's the HOT unit, the homeless outreach  
12 team. So the HOT unit is more of an outreach unit. And  
13 the differential response team is more of an enforcement  
14 side. Differential response team, downtown every day,  
15 goes to the different encampments and other areas to  
16 enforce civility ordinances.

17 Q. And so DRT then also does encampment like, if  
18 there's a homeless encampment, that they will remove the  
19 encampment from the public or private property?

20 A. They are involved in that, yes.

21 Q. Okay. And --

22 MS. ANDERSON: Is this a good time to take  
23 a break?

24 MR. FIFE: Yeah, actually.

25 (Recess from 10:15 a.m. to 10:29 a.m.)



1 can tell you Allen's Landing definitely does not. It's  
2 basically just a park underneath a bridge along the  
3 bayou. There are no restrooms there.

4 Q. So I want to clear that up, then. So earlier  
5 when you were describing how the City selected these  
6 locations in 2012 through 2016, you mentioned bathrooms,  
7 parking, and handwashing, right?

8 A. Right, yeah.

9 Q. But what you were referring to were the more  
10 recent regulations enacted by the health department?

11 A. Yes, that's correct.

12 Q. And do you know when those were enacted?

13 A. I don't know.

14 Q. Would sometime late 2022, early 2023 sound  
15 right?

16 A. I don't know.

17 Q. Okay. And so at the time of this list, which  
18 was 2012 to 2016, do you know if the parks department  
19 had comparable regulations to what you described in  
20 terms of bathrooms, parking, and handwashing?

21 A. Some of those. But like as I said, Allen's  
22 Landing, there's no bathrooms, there's no handwashing  
23 stations. So I don't know. I'd have to go through and  
24 look at each park specifically. I know city parks all  
25 have a set of standard rules that must be followed that

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1 are listed. But outside of that, I don't know.

2 Q. So were you aware of any criteria that the City  
3 applied to all of these locations from 2012 to 2016?

4 A. No.

5 Q. Are you aware of any written guidance from 2012  
6 to 2016 identifying what criteria the City would use to  
7 approve or disapprove public property for charitable  
8 food service events?

9 A. No.

10 Q. Now, we were -- so the category we were just  
11 discussing was City-owned property locations approved  
12 from 2012 to 2016, right?

13 A. Yes.

14 Q. Now, the next list or -- sorry. The next  
15 category in these responses was food and housing  
16 programs from 2019 to 2022, right?

17 A. Yes.

18 Q. So what were -- were any public property  
19 locations approved for charitable food service events  
20 from 2016 to 2019?

21 A. I don't know.

22 Q. Do you see any listed in the City's  
23 interrogatory responses?

24 A. No.

25 Q. Could you name a location that was approved

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1 for charitable food service events -- a public property  
2 location that was approved for charitable food service  
3 events from 2016 to '19?

4 A. No.

5 Q. And I just want to confirm you also said you  
6 were unaware of -- let me put the question this way.

7 Were any locations approved from 2016 to  
8 '19 for charitable food service events?

9 A. Not that I know of.

10 Q. Do you know if the City made a decision to not  
11 approve any locations from 2016 to '19?

12 A. No, I don't know that. I don't believe there  
13 was any enforcement between 2016 to 2019 of the  
14 ordinance.

15 MR. FIFE: Could we take a five-minute  
16 break?

17 THE REPORTER: Off the record at 11:28.  
18 (Recess from 11:28 a.m. to 12:30 p.m.)

19 THE REPORTER: Back on the record at 12:30.

20 Q. (BY MR. FIFE) So, Captain Kennedy, before we  
21 left for lunch, we were discussing what locations, if  
22 any, the City had approved for charitable food service  
23 events from 2015 to '19. And that's page 4 of this  
24 City's answers and objections to our interrogatories.  
25 We agreed before the break that there were no locations

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1 know what his role was at the time of this e-mail?

2 A. No.

3 Q. But safe to say he was an employee of the parks  
4 and rec department?

5 A. Yes.

6 Q. Based on the PRD next to his e-mail?

7 A. Correct.

8 Q. Okay. Now, looking at the message,  
9 Ms. Longoria writes "I understand that all charitable  
10 feedings have been canceled until further notice."

11 Do you see that?

12 A. I do.

13 Q. Okay. Do you know or does the City know  
14 whether Ms. Longoria was correct that as of July 8th,  
15 2016, all charitable feedings had been canceled until  
16 further notice?

17 A. I do know that the feedings that were taking  
18 place at the parks in 2016 -- I don't know the exact  
19 date. I do know those feedings at the park were  
20 canceled. There was serious safety concerns. There was  
21 a huge increase in the kush among the homeless  
22 population that was creating a lot of issues for the  
23 parks. And I believe the City felt like it was no  
24 longer safe to host these -- or to allow these events to  
25 be hosted on the park property. And so they were

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1 canceled.

2 Q. So -- so in 2016, the parks and recreation  
3 department decided to suspend all charitable feeding  
4 activities on parks' property due to the kush and issues  
5 that kush was causing in the parks?

6 A. I don't know if it was parks and recs  
7 department that decided that, but the City decided that.

8 Q. Okay.

9 A. Yes.

10 Q. And so -- and you can just see here for  
11 completeness, Mr. Joe Turner echoes what you had said  
12 that -- and he writes "They have all been temporary  
13 suspended while the mayor works through the kush issue  
14 first in our parks and public areas. And then second,  
15 we be working to set up discussions with the faith-based  
16 organizations on how to best provide services to those  
17 in need, not just feedings."

18 Do you see that?

19 A. Yes.

20 Q. So you discussed the first part in your answer  
21 which was issues related to kush. But at the time, was  
22 the City also trying to work with faith-based  
23 organizations on how to best provide services to those  
24 in need?

25 A. I believe so. And right around this time also

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1 in 2016 is when Rapid Rehousing Program began. And so  
2 it was likely an effort to collaborate with the  
3 organizations that were conducting the feedings to offer  
4 those, like, housing services along with the feedings.

5 Q. Uh-huh. And was that desire to work with  
6 faith-based organizations on how to collaboratively  
7 implement the Rapid Rehousing Program, was that also a  
8 basis for suspending charitable food activities in the  
9 parks?

10 A. No. I believe that the primary basis was just  
11 safety concerns.

12 Q. Safety concerns related to kush?

13 A. Right.

14 Q. Okay. So at the time of this e-mail, all  
15 charitable food service activities in public parks had  
16 been suspended, right?

17 A. I believe so, yes.

18 Q. Was there a plan or criteria in place at which  
19 point the city parks could be reauthorized as locations  
20 for charitable food service activities?

21 A. Not when it was canceled. I don't think they  
22 had a plan in place to reopen. When it was canceled, it  
23 was canceled for safety issues. Then I'm assuming as it  
24 says here the mayor was going to work with the  
25 organizations to kind of move forward.

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1 Q. So at the time of this e-mail, the -- the City  
2 had suspended charitable food activities on public  
3 parks, but at the time there was not a plan to  
4 reauthorize those charitable food service activities?

5 A. I believe so.

6 Q. Now, what is kush?

7 A. It's synthetic marijuana.

8 Q. At the time, was it illegal?

9 A. Yes. So there was -- I don't know -- have the  
10 exact dates as far as legislation. The issue with kush  
11 and synthetic marijuana is there are several different  
12 chemical formulations, right? And so their court system  
13 was having a difficult time keeping up with the  
14 different chemical formulations and having legislation  
15 to list all chemical formulations as controlled  
16 substances that is illegal.

17 Q. And was legislation prohibiting these various  
18 chemical iterations eventually passed?

19 A. Yes. Now, there are -- this is somewhat out of  
20 my scope as I'm not a narcotics officer or, you know, a  
21 scientist. However, synthetic marijuana -- I mean, it  
22 is illegal, but there are different -- I mean you can  
23 come up with different formulations that would then need  
24 to be introduced into legislation.

25 Q. So is kush just -- and again, I appreciate that

1 or what was fear of having people who just smoked kush  
2 attend charitable food service events?

3 A. I think the fear is that the City, you know,  
4 allowing this to happen on public property. But now  
5 that we have this increase in kush that often leads to  
6 violent incidents, we don't have the police officers  
7 available to then staff all these parks to ensure that  
8 everybody that's has taken part in these feeding events  
9 are safe.

10 So I think it was more of a matter of  
11 ensuring that people are safe. And if the City did not  
12 have the resources available to have police officers at  
13 every single park during every single feeding, it's not  
14 safe.

15 Q. Yeah. So at the time, you said it was hard to  
16 determine whether -- the courts were having a hard time  
17 determining whether the kush was composed of chemicals  
18 that were at the time illegal. Is that a correct  
19 understanding of your testimony?

20 MS. ANDERSON: Objection; form.

21 A. So the courts had a hard time keeping up --

22 Q. (BY MR. FIFE) Okay.

23 A. -- with the legislation to make all of the  
24 different types or all of the different formulations  
25 illegal and within that controlled substance.



1 Q. So when HPD found someone who was on drugs  
2 acting aggressively, how did they respond?

3 MS. ANDERSON: Objection; form.

4 A. It really depends on the situation.

5 Q. (BY MR. FIFE) Well, let me put it this way.  
6 What did the Houston Police Department do, or what did  
7 the City do in response to the presence of kush beyond  
8 suspending charitable food service activities?

9 A. So we -- I, mean several arrests were made for  
10 individuals with possession of synthetic marijuana.  
11 That would get tested at the drug lab. A lot of times,  
12 we responded to disturbances involving the homeless  
13 population and found that somebody was in possession of  
14 kush or under the influence of kush. And so it really  
15 just depended on the situation as to how we handled it.

16 Q. Yeah. And in -- and so is kush currently a --  
17 as big of a problem now as it was in 2016?

18 A. No, it does not seem like it's as big as a  
19 problem?

20 Q. And why is that?

21 A. I don't know the exact reasoning. Probably a  
22 combination of enforcement, legislation, ease of access.  
23 Used to you could get some of this synthetic marijuana  
24 formulations from gas stations, things like that. But  
25 there's been a lot more enforcement, I think in that

1 area to where it's not as easily accessible. In the  
2 beginning, it was very easily accessible, and I think  
3 that's what caused such a dangerous situation.

4 Q. And so at the time in 2016 when there were  
5 charitable food service events, were there officers at  
6 those events on a regular basis in the parks?

7 A. No, I don't believe so.

8 Q. Okay. And I just want to make sure I  
9 understood this that you -- that the City did not have  
10 evidence at the time that organizations sponsoring  
11 charitable food service events were distributing kush?

12 MS. ANDERSON: Objection; form.

13 Q. (BY MR. FIFE) The charitable food service  
14 groups weren't the ones who are supplying kush?

15 A. I don't believe the City thought that.

16 Q. Are there any plans to reauthorize charitable  
17 food service activities in public parks today?

18 A. I don't know if that conversation is happening  
19 at the mayor's office or not. But as far as I know, no.

20 Q. And you do -- and testified earlier that  
21 currently no public parks are authorized for charitable  
22 food service activities?

23 A. Correct.

24 Q. Okay. Is there any criteria in place that  
25 could allow someone to conduct a charitable food service

1 activity at a public park?

2 A. No, there's no locations at public parks that  
3 are authorized right now. So any criteria wouldn't  
4 matter if it's not an authorized location.

5 Did I answer that?

6 Q. Yeah. And I think you said that there are no  
7 criteria in place right now because no public parks are  
8 authorized as charitable food service locations?

9 A. Yes.

10 Q. Does the mayor's office have the authority to  
11 reauthorize city parks as locations for charitable food  
12 service activities?

13 A. I would assume so.

14 Q. And can you turn back with me to Exhibit 21.  
15 And could you look at page 4? That's the second half to  
16 the City's answers, to Interrogatory No. 25. It says  
17 food -- the next category it lists are food and housing  
18 programs from 2019 to 2022.

19 Do you see that?

20 A. Yes.

21 Q. And it lists the temporary Navigation center  
22 and navigation center at 2903.

23 Do you see that?

24 A. Yes.

25 Q. From 2019 to 2022, were any other City of

1 Houston-owned properties approved for charitable food  
2 service activities?

3 A. No. And these were not referring to charitable  
4 food service activities. These are just City of  
5 Houston-sponsored programs like City of Houston  
6 locations where feeding was occurring. So these were  
7 not food service events as described in the ordinance  
8 that are outdoors by charitable food service providers.

9 Do you understand?

10 Q. I think so. Let me make sure. So when it says  
11 "food and housing program location," it's not referring  
12 to locations for charitable food service activities  
13 within the meaning of the ordinance. It's referring to  
14 locations where people in need can get food?

15 A. Correct.

16 Q. Okay. And so -- are the navigation centers  
17 public property?

18 A. Yes, I believe so.

19 Q. Okay. And so as we've discussed, I represent  
20 Food Not Bombs, right?

21 A. Yes.

22 Q. Could Food Not Bombs have -- Food Not Bombs  
23 Houston, could they have conducted a charitable food  
24 service activity at one of these navigation centers?

25 A. No.

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1 Q. And so beyond these navigation centers, were  
2 there any other publicly-owned locations approved for  
3 charitable food service events?

4 A. When?

5 Q. From 2019 to 2022?

6 A. Not that I know of.

7 Q. And so we have -- I apologize. I seem to have  
8 lost my copy.

9 So we discussed before lunch that there  
10 were no locations listed here from 2016 to 2019, right?

11 A. Correct.

12 Q. And I think you said you weren't aware of any?

13 A. Right.

14 Q. And then the next piece of the answer -- or the  
15 next category -- do you want to take a second and look?

16 A. No, you're good.

17 Q. And the next category, 2019 to 2022, you  
18 testified that these navigation centers were not  
19 locations for charitable food service activities within  
20 the meaning of the ordinance, right?

21 A. Correct.

22 Q. So from 2016 to 2022, were you -- are you aware  
23 of any public property in which a group could sponsor or  
24 conduct a charitable food service event?

25 A. No.

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1 Q. Do you know why that was the case?

2 A. No.

3 Q. Do you know of any criteria in which the City  
4 made that decision to not have any approved locations  
5 from 2016 to 2022?

6 A. I think the -- I don't know if you're referring  
7 to the criteria to ending the ones in 2016, like we  
8 discussed, at the parks for safety reasons.

9 Q. Are there any other criteria you're aware of?

10 A. No.

11 Q. And are you -- and -- so from 2016 to 2022,  
12 were there any criteria by which charitable food service  
13 activities could resume at publicly owned locations?

14 A. No.

15 Q. So thus far we've been discussing approval via  
16 the charitable feeding ordinance, the ordinance  
17 challenged in this case. But the City also has  
18 ordinances that regulate special events and street  
19 functions and parades, right?

20 A. Yes.

21 Q. So if someone wanted to sponsor a parade or a  
22 5K, they would go to the mayor's office of special  
23 events and apply those ordinances, right?

24 A. Yes.

25 Q. So could a group that wanted to conduct

1 charitable food service activities instead of going  
2 through the ordinance challenge in this case, could they  
3 just apply for a special event permit?

4 A. I don't believe so if it violates the  
5 ordinance.

6 Q. Okay. I'll mark this as Exhibit 23.

7 (Exhibit No. 23 was marked.)

8 Q. (BY MR. FIFE) And -- so this is at the bottom  
9 half of the page. This is an e-mail from Mr. Ricardo  
10 Magdaleno sent on August 1st, 2023. And the subject of  
11 the e-mail is homeless feedings.

12 Do you see that?

13 A. I do.

14 Q. Now, Mr. Magdaleno just in essence writes  
15 exactly what you just said which is -- he said "I was  
16 walking by the library plaza and saw this sign on the  
17 fence. The sign posted by HPD is clear-cut and specific  
18 on all events with the intent of feeding the homeless."

19 Do you see those first two sentences?

20 A. Yes.

21 Q. And the last sentence says "If you have a  
22 producer that insists on a special event permit, we must  
23 deny the event and ask them to follow the instructions  
24 stated per the policy in place."

25 Did I read that right?

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1 A. I'm assuming that was in coordination with the  
2 health department.

3 Q. And have you ever seen this response -- or had  
4 you ever seen this statement that Mayor Parker gave Food  
5 Not Bombs Houston permission to use the Central Library?

6 A. No.

7 Q. And you said earlier that currently Food Not  
8 Bombs does not have authorization from the city to  
9 conduct charitable food service events at the Central  
10 Library?

11 A. Correct.

12 Q. So when was the permission revoked?

13 A. Well, I would say that it was in February of  
14 2023 when they received warning that they were no longer  
15 going to be able to feed there and that they have to  
16 feed at 61 Riesner, so before any sort of enforcement  
17 action took place.

18 Q. Okay. Do you know -- based on what you said, I  
19 think I know this answer. But are you aware when this  
20 newsletter was taken down off of the City of Houston web  
21 page?

22 A. No.

23 Q. And then in February of 2023 when Food Not  
24 Bombs permission was revoked, do you know who made that  
25 decision?



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1 A. No, not specifically. I know -- it's not that  
2 their permission was revoked. It's the only approved  
3 location was going to be 61 Riesner. So there was never  
4 a -- here your permission is hereby revoked. It's as of  
5 this date, this is going to be the only approved  
6 location.

7 Q. And the only approved location was 61 Riesner  
8 Street, right?

9 A. Correct.

10 Q. So was there a reason why the Central Library  
11 was no longer going to be allowed -- let me put that  
12 differently.

13 Why was the Central Library no longer going  
14 to be authorized as a charitable food service event  
15 location?

16 A. There were significant issues and safety  
17 concerns coming from the Central Library. And the City  
18 also found that a coordination of efforts among those  
19 that participate in the food service events would be  
20 mutually beneficial to not only those who provide the  
21 food but those who receive the food as well as the  
22 property where the feeding occurs.

23 Q. So if Food Not Bombs at the time wanted to use  
24 another location for its charitable food service events,  
25 were there any criteria by which they could select a

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1 different public property location?

2 A. No.

3 Q. It was just 61 Riesner Street, right?

4 A. Correct.

5 Q. And before you mentioned that, in February of  
6 2023, the health department issued guidelines outlining  
7 sufficient trash reciprocals, handwashing stations, and  
8 24/7 porta potty access as requirements for any public  
9 property where charitable feeding would occur?

10 A. Well, it's -- yes. So it's access during a  
11 food service event and available 24/7. That does not  
12 mean that bathrooms have to be unlocked 24/7. It means  
13 that they have to be available for use 24/7. And then,  
14 basically open during a food service event. If you read  
15 the ordinance, it's clear in there. But yes. So right.

16 Q. Okay. So to -- so it's handwashing stations,  
17 sufficient trash reciprocals, and porta potties for use  
18 during food service?

19 A. And parking.

20 Q. And parking?

21 A. Yes.

22 Q. Now, if Food Not Bombs had identified another  
23 location, another publicly owned location that met those  
24 four criteria, could they have used it for a charitable  
25 food service event?

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1 A. If they received permission from the public or  
2 private owner. But if it was a public property, then  
3 that would be something that had to be approved, you  
4 know, by the City. So if it was a private place then,  
5 yes, absolutely.

6 Q. But in terms public property, a location with  
7 those four criteria we discussed would not necessarily  
8 be approved for the charitable food service event. They  
9 would still need to ask the City for permission?

10 A. Correct.

11 Q. If a location had those four elements that we  
12 discussed -- the porta potty, handwashing, parking, and  
13 trash reciprocals -- would the City approve that  
14 location, or would they still just say 61 Riesner  
15 Street?

16 MR. SOH: Objection; form.

17 MR. FIFE: You can answer.

18 A. I think that could be a possibility. But it  
19 would also have to be, you know, something where the  
20 City looks at the safety in providing, having, you know,  
21 resources as far as being able to provide officers for  
22 security so.

23 Q. (BY MR. FIFE) Now, so previously we discussed  
24 61 Riesner Street as an approved -- or actually we were  
25 just discussing 61 Riesner Street as an approved public

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1           A. There were several reasons -- its close  
2 proximity to the library where people were already being  
3 fed. It's a half a mile walk. It's well lit. The  
4 sidewalks are actually brand new from McKinney and all  
5 along Bagby until you get to Capital. There's no  
6 mobility issues with any of the sidewalks, no safety  
7 concerns.

8                       There's one intersection that would have to  
9 be crossed as a protected intersection that's frequented  
10 all the time especially by individuals going to the  
11 Hobby Center. It's in very close proximity to the Bayou  
12 Place which is a location where we know that many of the  
13 individuals that are participating in the feeding.  
14 That's where they sleep at night as well, close to the  
15 Beacon which is another major homeless provider  
16 downtown.

17                       We also had the ability there to provide  
18 not only the minimum of ten parking spots, trash can  
19 receptacles, porta potties, and handwashing stations,  
20 but we have electrical outlets available for people. We  
21 have portable lighting that was available. And we have  
22 police nearby. And then also police that would be  
23 on-site. So it's a safe location.

24           Q. Who was involved in that decision?

25           A. I remember having a conversation with Chief

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1 Satterwhite about considering 61 Riesner as a location.  
2 I believe he was involved, heavily involved, in that  
3 decision. He asked my opinion at one point. That's why  
4 we spoke about it. I thought that was a great location.  
5 I'm not sure who made the final decision as for it being  
6 61 Riesner.

7 Q. Did Chief Satterwhite speak with the mayor  
8 about 61 Riesner Street?

9 A. I believe so.

10 Q. Okay. And you mentioned the quality of the  
11 sidewalks, how close it is to the Central Library,  
12 lighting, proximity to locations where homeless  
13 individuals spend a lot of time, and safety of  
14 61 Riesner Street. Were those -- who came up with those  
15 criteria or factors?

16 A. Those weren't criteria or factors. They were  
17 just benefits of that location.

18 Q. So were there any written criteria or factors  
19 that the City had to consider?

20 A. No. Nothing outside of what the health  
21 department had already created -- basically the parking  
22 restrictions, you know, minimum of ten parking spaces,  
23 sufficient trash reciprocals, portable restrooms, and  
24 handwashing stations available during a food service  
25 event and available 24/7.

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1 Q. And so I understand the benefits of -- the  
2 benefits of -- that you've described for 61 Riesner  
3 Street, but I want to know why the City decided to have  
4 only one approved location as opposed to having multiple  
5 properties, public properties that could be used for  
6 charitable food service events.

7 A. Well, as of now, there was a huge group of  
8 individuals that were receiving food downtown. So we  
9 knew that it needed to be local to downtown for the  
10 groups that were receiving food could easily get to,  
11 right?

12 And as far as ensuring officers for safety  
13 and allocating resources, I think it was the initial  
14 ideas. Let's start with this one location because we  
15 already know it's going to be successful in feeding the  
16 same amount of people that were already being fed at the  
17 library.

18 Q. Has this, since 61 Riesner became the sole  
19 location in 2023, has the City created or authorized  
20 charitable food service events at more public  
21 properties?

22 A. No.

23 Q. And so I'm not sure what you just said answered  
24 my original question which is why did the City decide to  
25 create one location as the exclusive place for

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1 charitable food service events instead of how it had in  
2 2012 through 2016 approved multiple locations throughout  
3 Houston?

4 A. Well, the City does not have the resources to  
5 staff every single park to conduct charitable food  
6 events in a safe manner.

7 Q. What other locations did the City consider --  
8 or let me put that differently.

9 So in authorizing and creating an exclusive  
10 location for charitable food service events on city  
11 property, were there other locations that the city  
12 considered besides 61 Riesner Street?

13 A. I'm not sure.

14 Q. I will mark this as Exhibit 27.

15 (Exhibit No. 27 was marked.)

16 MR. SOH: So I assume we're done with 26.

17 MR. FIFE: Yes.

18 Q. (BY MR. FIFE) This is an e-mail thread  
19 between -- well, several members of the mayor's staff.  
20 And do you know what HCD means?

21 A. Where is that at?

22 Q. It's next to Mr. Marc Eichenbaum's e-mail.

23 A. I know he was assigned to the homeless  
24 initiatives, so maybe.

25 Q. It's okay.

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1 A. I'm not sure.

2 Q. Yeah. So can you turn to the back page which  
3 is COH-084927. In the middle of the page, there's an  
4 e-mail that's from Andy Icken to Mayor Turner,  
5 Marvalette Hunter, Marc Eichenbaum, and James Koski.

6 Do you see that?

7 A. I do.

8 Q. And this e-mail was sent on August 11th, 2021.  
9 It says "Mayor, after our call this afternoon, James"  
10 and I -- "James, Marc, and I got together to be sure we  
11 focus on possible feeding sites that met the criteria we  
12 discussed."

13 Do you know what criteria they discussed?

14 A. I do not.

15 Q. Is the criteria they discussed written  
16 anywhere?

17 A. I do not know.

18 Q. But sitting here today, you don't know what  
19 criteria Mr. Icken was referring to?

20 A. No.

21 Q. And then he continues "We plan on focusing on  
22 three different sites that potentially meet the needs:

23 1. St. John's/ Pastor Rudy."

24 Who is Pastor Rudy?

25 A. I do not know him.



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1 Q. Does he run or direct the Bread of Life  
2 organization?

3 A. That sounds familiar. Quite possibly, but I do  
4 not know for sure.

5 Q. Where is St. John/Pastor Rudy's facilities?

6 A. Based on this e-mail, I would say the southeast  
7 quadrant of central business district just south of the  
8 Pierce Elevated.

9 Q. So the next is municipal courthouse area. And  
10 then there is a -- and then -- so the municipal  
11 courthouse area is -- would include 61 Riesner Street?

12 A. Yes -- sorry.

13 Q. 61 Riesner Street is in the municipal  
14 courthouse area?

15 A. Yes.

16 Q. And if you can look at the last sentence, it  
17 says "The challenge will be the perception it is 'out of  
18 sight.'"

19 Did I read that correctly?

20 A. Yes.

21 Q. So can you turn back to the first page? This  
22 is -- and then at the bottom of the first page, there is  
23 an e-mail from Marvalette Hunter.

24 Do you see that, that she sent on  
25 October 12, 2021?

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1 A. I do.

2 Q. Ms. Hunter writes "My recommendation is the  
3 Municipal Courthouse Area No. 2. It has already been  
4 assessed and is functionally appropriate. Being out of  
5 sight should not be a determinate of an appropriate  
6 location."

7 Do you see that?

8 A. I do.

9 Q. Does the City agree that in approving  
10 charitable food service events it does not take into  
11 account whether a location is "out of sight"?

12 MR. SOH: Objection; form.

13 Go ahead and answer if you can.

14 MR. FIFE: Yeah, let me restart that  
15 actually.

16 Q. (BY MR. FIFE) Here, Ms. Marvalette says that a  
17 location "being out of sight should not be a determinate  
18 of an appropriate location" in reference to charitable  
19 food service events, right?

20 Right?

21 A. Yes.

22 Q. And here, being out of sight, would mean away  
23 from public view?

24 MR. SOH: Objection; form.

25 Q. (BY MR. FIFE) What does being out of sight

1 mean to you?

2 A. Well, I'm not sure because I work in this  
3 complex and it's not out of sight. So I'm not exactly  
4 sure what they're referring to. I mean, you've got the  
5 courthouse next door that's open until 10:00 p.m.  
6 You've got I-45 that runs right next to it. And if  
7 you're on it anytime between 3:00 and 6:00 p.m., you're  
8 going 20 miles an hour and you can look over into the  
9 parking lot and see the feeding occurring.

10 MR. SOH: I would object that 20 miles an  
11 hour is a gross exaggeration of the speed limit of the  
12 Pierce Elevated at 4:00 o'clock in the afternoon.

13 A. I'm just not sure what they're getting at as  
14 far as it being out of sight.

15 Q. (BY MR. FIFE) Okay. Yeah, so I think the core  
16 of what I'm trying to get at is just in deciding whether  
17 to approve a location for charitable food service  
18 activities. Does the City consider whether it is -- it  
19 will be viewed by the public?

20 A. Apparently not. I don't think it's something  
21 where it's -- either way where location is determined  
22 because it is -- you know, there is people that are  
23 going to see it versus a location where a lot of people  
24 will see it. So I think either way that is not used as  
25 a determinate to identify a location.

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1 Q. Yeah, whether a lot of people will see it or  
2 not --

3 A. Correct.

4 Q. -- does not matter to whether the City will  
5 approve the location?

6 A. Right. Because I don't think that affects the  
7 ability of an organization to provide food if other  
8 people can see it or not or the number of people who can  
9 see it.

10 Q. So we've discussed previously that the City  
11 began posting notices about 61 Riesner in February  
12 of 2023?

13 A. Yes.

14 Q. How -- and you said earlier that you talked  
15 Sergeant Simon about the posting of the signs?

16 A. Yes.

17 Q. What did you ask him?

18 A. I asked him if he knew who posted them. He  
19 didn't know. I have an e-mail -- I saw an e-mail at one  
20 point from Andy Icken saying that the signs would be  
21 posted February 20th. I'm assuming it's just the City's  
22 general service department that posted them because they  
23 are the ones that are responsible for that type of  
24 activity. I was just curious if he knew, you know, who  
25 posted them.

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1 Q. But then February of 2023 is when the City made  
2 a concerted effort to move all Central Library feedings  
3 to 61 Riesner?

4 A. Yes.

5 Q. Okay.

6 A. Well, March 1st.

7 Q. March 1st was when the citations began?

8 A. March 1st is when the enforcement began.

9 Q. Yeah. That was when the first citation was  
10 issued?

11 A. Yes.

12 Q. Okay.

13 MR. FIFE: Should we break for ten minutes?

14 MR. SOH: Sure.

15 (Recess from 2:22 p.m. to 2:35 p.m.)

16 THE REPORTER: Back on the record at 2:35.

17 Q. (BY MR. FIFE) So we were just discussing  
18 61 Riesner Street, and I'm going to mark this as  
19 Exhibit 28.

20 (Exhibit No. 28 was marked.)

21 Q. (BY MR. FIFE) This is a -- appears to be a  
22 Google Maps image produced to us during discovery and  
23 is -- has Bates stamp COH\_067224. Now, would you say  
24 that this is a fair and accurate depiction of the  
25 municipal court area?

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1 A. Minus several trees that have since died.

2 Q. Okay. So currently there are fewer trees?

3 A. Currently there are fewer trees, but everything  
4 else looks accurate.

5 Q. Okay. And it's a little hard to read. But do  
6 you see in red on the lower right-hand -- or lower right  
7 side of the page it says "Homeless feeding area" in red  
8 font?

9 A. Yes.

10 Q. And it appears to -- the homeless feeding area  
11 prepares -- appears to begin at the intersection of  
12 Lubbock Street and Artesian Place?

13 A. So the feeding actually takes place in this  
14 small parking lot that is really sandwiched between  
15 Lubbock, Riesner, and Artesian.

16 Q. Could you mark that on your map with a star?  
17 So that's slightly to the left of the red font, homeless  
18 feeding area?

19 A. Correct.

20 Q. What is that building adjacent to Lubbock  
21 Street directly in front of the homeless feeding area?

22 A. 61 Riesner.

23 Q. And that building is a Houston Police  
24 Department building, right?

25 A. It is not occupied by the police department

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1 anymore. It is -- it used to be the Central Patrol  
2 Division building. I believe after it got flooded from  
3 Harvey, we -- is when we discontinued using it. There  
4 is a general services department group that uses part of  
5 that building. But I think it's more on the north end  
6 that is utilized.

7 Q. Outside -- and general services, is that  
8 general services for HPD or --

9 A. City of Houston.

10 Q. City of Houston? Okay.

11 A. Yes.

12 Q. Are there any other city functions or  
13 departments that operate out of 61 Riesner Street?

14 A. I don't believe so.

15 Q. It was the old Central Patrol Division  
16 building?

17 A. Yes.

18 Q. And then to the left of that building, there's  
19 a municipal courthouse?

20 A. Yes.

21 Q. And that is the municipal courthouse where Food  
22 Not Bombs volunteers would go to take care of their  
23 tickets or contest their citations for violating the  
24 charitable food service ordinance?

25 A. If that's where their court was. There's

1 several different municipal courts across the city.  
2 This is the central courthouse; so I'm not sure where  
3 their docket was.

4 Q. Yeah. And on Exhibit 28 itself at the top, it  
5 says 60- -- the 61 Riesner Street in (HPD headquarters).  
6 It sounds like you would disagree with that  
7 characterization?

8 A. Yes. HPD headquarters is 1200 Travis.

9 Q. Okay. And was it ever HPD headquarters?

10 A. Not since I've been on the department for the  
11 past 17 years. Now, before that, I'm not sure.

12 Q. Okay. Prior to the City designating 61 Riesner  
13 Street as an authorized location for charitable food  
14 service events, so before it was approved for charitable  
15 feedings, did 61 Riesner Street have porta potties?

16 A. No.

17 Q. Did it have free parking?

18 A. No.

19 Q. Did it have a shipping container for storage?

20 A. Not for this use but --

21 Q. Not for charitable food service events?

22 A. It did not.

23 Q. Did it have tables designed for individuals to  
24 eat food off of?

25 A. No.



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1 Q. Did it have dumpsters designed for charitable  
2 food service providers to discard waste?

3 A. No. We had dumpsters. But obviously before  
4 the feeding was there, it wasn't purposed for feeding.

5 Q. Yeah, it was for whatever was happening inside  
6 the building, right?

7 A. Correct.

8 Q. So the City added all those elements to  
9 61 Riesner once it decided to designate it as the  
10 exclusive charitable food service location?

11 A. Yes.

12 Q. So after March 1st, 2023, through the present,  
13 do you know how many groups signed up to serve food at  
14 61 Riesner?

15 A. I don't know how any groups have signed up. I  
16 know that the list of recognized charitable food  
17 providers, I believe, is at 199.

18 Q. Could groups serve at -- or can -- actually,  
19 let me ask you this question.

20 Is 61 Riesner Street still approved for  
21 charitable food service events?

22 A. Yes.

23 Q. And so from March 1st, 2023, until now, can  
24 groups sign up to serve food at the same time?

25 A. Yes.

1 Q. Practically, how does that work? Do they work  
2 together to prepare food together or?

3 A. So ideally, they would choose a date that is --  
4 somebody is not already feeding on in order to maximize  
5 our ability to feed throughout the entire week. But we  
6 are not going to say no to an organization.

7 So if an organization says I would like to  
8 feed at this day on this time, we look at the calendar,  
9 and if there's already somebody else for that date and  
10 that time, then we just let them know they have to  
11 coordinate, you know.

12 Q. Yeah.

13 A. So you're both going to be out there feeding.

14 Q. And has the City received complaints from  
15 groups who were scheduled at the same time?

16 A. Not that I'm aware of.

17 Q. And when a charitable food service event is  
18 happening at 61 Riesner, are there always uniformed  
19 police officers there?

20 A. Yes, if they let us know about it.

21 Q. Okay. And so when a group conducts a food  
22 service event at 61 Riesner Street, do they -- is there  
23 a sanitation person on-site who's inspecting the food?

24 A. No.

25 Q. And so the officers aren't inspecting the food?

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1 A. No. I mean, the officers are empowered to  
2 enforce anything from the health and safety code. So if  
3 they see some sort of egregious violation, you know,  
4 then they're empowered to address it. I'm not aware of  
5 any instance where that's occurred.

6 Q. And, yeah, that makes sense. I think my  
7 question is a little bit more simpler than that. There  
8 is no city employees at 61 Riesner food service events  
9 proactively checking the food?

10 A. Correct.

11 Q. To serve food at 61 Riesner Street, does a  
12 group have to be a registered charitable food service  
13 provider?

14 A. No.

15 Q. And that's because the recognized provider  
16 program is voluntary?

17 A. Correct.

18 Q. So a group could serve food at 61 Riesner  
19 without taking the food safety course?

20 A. Correct.

21 Q. And they could serve food at 61 Riesner Street  
22 without having a certificate from the City saying  
23 they're a recognized charitable food service provider?

24 A. Correct.

25 Q. So does the City -- so let's just say across

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1 the last six months, on most days, is there someone  
2 providing food at 61 Riesner Street?

3 A. Of the majority of the days, yes. I believe  
4 there's at least four days that are generally covered.  
5 I'd have to look at the schedule to confirm.

6 Q. Well, so I guess I'm glad you brought that up  
7 which is -- are you familiar with the City's Dinner to  
8 Home Program?

9 A. Yes.

10 Q. And that was a contract awarded to Bread of  
11 Life where the City was paying Bread of Life to provide  
12 charitable food services at 61 Riesner Street?

13 A. Yes.

14 Q. And do you know when the City's contract with  
15 Bread of Life began?

16 A. I believe it was November of -- I want to say  
17 2022.

18 Q. And so under that -- did Bread of Life serve  
19 food at 61 Riesner Street before the City was paying --  
20 had a contract with Bread of Life?

21 A. I'm not sure as far as the timeline. I know  
22 that they were the vendor who won the bidding process to  
23 be awarded the HRPFA funds for the Dinner to Home  
24 Program.

25 Q. And do you know what days they were asked to

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COUNTY OF HARRIS )

STATE OF TEXAS )

REPORTER'S CERTIFICATION

I, Donna Qualls, Notary Public in and for the State of Texas, Notary ID No. 12161359, hereby certify that this transcript is a true record of the testimony given and that the witness was duly sworn by the notary.

I further certify that I am neither attorney nor counsel for, related to, nor employed by any of the parties to the action in which this testimony was taken.

Further, I am not a relative or employee of any attorney of record in this cause, nor do I have a financial interest in the action.

Subscribed and sworn to on this the 26th day of February, 2025.



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DONNA QUALLS  
Notary Public in and for  
The State of Texas, Notary ID 12161359  
My Commission expires 11/06/2026

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